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Chairman
4th District, Oklahoma

House Meets at 10:00 a.m. for Legislative Business

Anticipated Floor Action:

H.R. 438—Wireless Communications and Public Safety Act

H.R. 436—Government Waste, Fraud, and Error Reduction Act

H.R. 409—Federal Financial Assistance Management Improvement Act



H.R. 438—Wireless Communication and Public Safety Act

Floor Situation: The House will consider H.R. 438 as its first order of business today. Yesterday, the Rules Committee granted an open rule that provides one hour of general debate, equally divided between the chairman and ranking minority member of the Commerce Committee. The rule waives House rules requiring that committee reports be available for three days before consideration. It makes in order a committee amendment in the nature of a substitute as base text. The rule accords priority in recognition to members who have their amendments pre-printed in the *Congressional Record*. The chairman of the Committee of the Whole may postpone votes and reduce the voting time on a postponed vote to five minutes, so long as it follows a regular 15-minute vote. Finally, the rule provides one motion to recommit, with or without instructions.

Summary: H.R. 438 requires the Federal Communications Commission (FCC) to use its existing numbering authority to designate 911 as the nationwide emergency number and directs the FCC to establish appropriate transition rules to implement the legislation. The bill includes a number of measures to provide the same liability protection to *wireless* carriers and users that is accorded to *wireline* telecommunications services carriers and users.

The measure allows carriers to provide information about a mobile phone user's location to emergency dispatch providers and personnel to respond to the user's emergency call or to the user's immediate family in a life-threatening situation. The bill also permits carriers to provide call location information to transmit automobile crash information through a motor vehicle's automatic crash notification system. Finally, the measure requires the customer's express prior authorization before disclosing location information to any other person.

The Commerce Committee reported similar legislation (H.R. 3844; *H.Rept. 105-768, Pt. I*) by voice vote in the 105th Congress; however, the House did not consider the measure before adjournment. A CBO cost estimate was unavailable at press time. H.R. 438 was introduced by Messrs. Shimkus and Tauzin, and was reported by the Commerce Committee by voice vote on February 11, 1999.

Views: The Republican Leadership supports passage of the bill. An official Clinton Administration view was unavailable at press time.

Amendments: At press time, the *Legislative Digest* was aware of the following amendment to H.R. 438:

Mr. Sanders may offer an amendment to amend the 1996 Telecommunications Act to change the governing process by which state and local authorities site cellular towers. The 1996 law established a process by which wireless telecommunication service providers can apply to localities to site wireless facilities, and requires localities to respond to applications to site personal wireless telecommunication facilities in a timely manner. The Sanders amendment changes the law to remove the timeliness requirements placed on localities. Supporters of the amendment argue that the change restores local zoning authority to site cell towers in their respective localities. Opponents of the amendment counter that this reopens a delicate compromise in the 1996 Telecommunications Act and will hinder expeditious deployment of wireless facilities, thereby undermining public safety throughout the country. **Contact: x5-4115.**

Additional Information: See *Legislative Digest*, Vol. XXVIII, #4, February 19, 1999.



H.R. 436—Government Waste, Fraud, and Error Reduction Act

Floor Situation: The House is scheduled to consider H.R. 436 after it completes consideration of H.R. 438. On Tuesday, February 9, the Rules Committee granted an open rule that provides for one hour of general debate, equally divided between the chairman and ranking minority member of the Government Reform Committee. The rule accords priority in recognition to members who have their amendments pre-printed in the *Congressional Record*. The chairman of the Committee of the Whole may postpone votes and reduce the voting time on a postponed vote to five minutes, so long as it follows a regular 15-minute vote. Finally, the rule provides one motion to recommit, with or without instructions.

Summary: H.R. 436 is designed to enhance federal debt collection practices and reduce waste, fraud, and error in federal payment systems and federal benefit programs. The bill makes technical corrections to the Debt Collection Improvement Act of 1996 (*P.L. 104-134*) and provides federal agencies with additional tools to collect delinquent federal non-tax debts.

Specifically, the bill (1) authorizes agencies to bar delinquent debtors from obtaining certain federal benefits until the debt is repaid; (2) precludes an agency from discharging a debt until it is referred to a private collection agency or until another collection activity has been undertaken; (3)

promotes the sale of loans to financial institutions (there is a provision that exempts selling if it interferes with program functions); and (4) requires agencies to seize pledged assets against debtors owing more than \$1 million to the federal government.

The bill also authorizes the federal government to withhold Social Security benefits from a recipient who owes past-due child support to a state and requires private collection contractors to pay administrative costs associated with private collection contracts with the federal government. Finally, H.R. 436 requires agencies to report annually to Congress on high-value delinquent debts—debts over \$1 million—and requires Inspectors General to review the progress being made on collecting high-value debts and to rate the performance of agency heads. An identical bill (H.R. 4857) passed the House last year by voice vote on October 14, 1998, but was not considered by the Senate.

CBO estimates that implementing H.R. 436 will decrease direct spending by \$18 billion over the 1999-2004 period. H.R. 436 was introduced by Mr. Horn and was reported by the Government Reform Committee by voice vote on February 3, 1999.

Views: The Republican Leadership supports passage of the bill. An official Clinton Administration view was unavailable at press time.

Amendments: At press time, the *Legislative Digest* was aware of the following amendment to H.R. 436:

Mr. Horn may offer a manager's amendment to make technical corrections to the bill. **Staff Contact:** *Russell George, x5-5147.*

Additional Information: See *Legislative Digest*, Vol. XXVIII, #3, February 5, 1999.



H.R. 409—Federal Financial Assistance Management Improvement Act

Floor Situation: The House will consider H.R. 409 after it completes consideration of H.R. 436. Yesterday, the Rules Committee granted an open rule that provides for one hour of general debate, equally divided between the chairman and ranking minority member of the Commerce Committee. The rule accords priority in recognition to members who have their amendments pre-printed in the *Congressional Record*. The chairman of the Committee of the Whole may postpone votes and reduce the voting time on a postponed vote to five minutes, so long as it follows a regular 15-minute vote. Finally, the rule provides one motion to recommit, with or without instructions.

Summary: H.R. 409 requires federal agencies to coordinate and streamline the process to receive grants from federal financial assistance programs, particularly when agencies administer overlapping or conflicting services. There are currently over 600 such programs—from job training to child assistance—that provide federal funds to states, local and tribal governments, and non-profit organizations. Supporters of the bill argue that many of these programs are duplicative or conflicting. For example, \$20 billion in federal funds is spent on 163 job training programs administered by 15 different agencies; and 11 agencies administer over 90 early childhood programs.

To simplify and improve the delivery of financial assistance programs, the bill requires federal agencies, no later than 18 months after enactment of the bill, to (1) streamline application, administrative, and reporting requirements; (2) develop a uniform application for related programs; (3) develop and expand the use of electronic applications and reporting via the Internet; (4) demonstrate interagency coordination in simplifying requirements for cross-cutting programs; and (5) set annual goals to further the purposes of the bill.

Each agency must consult with outside parties when developing the plans, which, along with annual reports, will be submitted to the director of the Office of Management and Budget (OMB) and Congress. In addition to overseeing and coordinating agency activities, the OMB must develop more common rules for each agency. The bill also requires the OMB Director to contract with the National Academy of Public Administration to evaluate the effectiveness of the bill in four years.

A CBO cost estimate was unavailable at press time. The bill was introduced by Mr. Portman and was not considered by a committee.

Views: The Republican Leadership supports passage of the bill. An official Clinton Administration view was unavailable at press time.

Amendments: At press time, the *Legislative Digest* was aware of the following amendments to H.R. 409:

Mr. Horn may offer an amendment to require the OMB to report to Congress after 18 months of enactment on how to more effectively implement the provisions of the bill, including legislative changes to ensure the best approach possible for improving federal financial assistance management.

Staff Contact: *Russell George, x5-5147*

Mr. Kucinich may offer an amendment to require federal agencies to notify applicants for financial assistance if their applications contain technical errors, and allow applicants seven days to correct the error. The agency must continue considering the application after informing an applicant of an error, and afterward if the applicant corrects the error within the seven-day period. **Contact:** *x5-5871*

Mr. Traficant may offer an amendment to express the sense of Congress that federal agencies, when providing federal assistance for economic development, should focus primarily on communities with high poverty and unemployment rates. **Contact:** *x5-5216*

Additional Information: See *Legislative Digest*, Vol. XXVIII, #4, February 19, 1999.



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